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March 18, 2021

The Honorable Edgardo Ramos
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: 1:20-cv-10735-ER; Plaintiff's Request for an Extension of Time Within Which to Effectuate Service

Dear Judge Ramos,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned the referenced IP address. Plaintiff respectfully requests an extension of the time within which to effectuate service on John Doe.

On December 20, 2020, Plaintiff filed the instant case against John Doe subscriber assigned IP address 100.12.248.145 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol [CM/ECF 1].

On December 29, 2020, the Court granted Plaintiff leave to serve a third-party subpoena [CM/ECF 8]. Plaintiff served Defendant's ISP with a third-party subpoena on or about January 4, 2021 and, in accordance with the time allowances provided to Defendant and the ISP, expects to receive the ISP's response on or about May 4, 2021.

Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than March 20, 2021. Because Plaintiff does not expect to receive the ISP's response until May 4, 2021, and Defendant's identity remains unknown to Plaintiff, Plaintiff is unable to comply with the current deadline to effect service.

Plaintiff respectfully requests that the deadline to effect service be extended for sixty (60) days from May 4, 2021 (the date Plaintiff expects to receive the ISP response), and thus the deadline to effect service be extended to July 3, 2021. This extension should allow Plaintiff sufficient time to receive the ISP response, conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this

action, and, if a good faith basis continues to exist, to proceed against that individual (or someone else), to amend the Complaint to name the Defendant and effect service of process.

For the foregoing reasons, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended to July 3, 2021.

Respectfully Submitted,

By: /s/Jacqueline M. James
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